

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 28785 of 2006(B)

PETITIONER:

OOLANGADAN VEERAN,
S/O.KUNHIMOIDEENKUTTY,
OOLANGADAN HOUSE, PERINTHIRI,
PERINTHALMANNA TALUK.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS:

1. PEIRNTHALMANNA SAHAKARANA KARSHIKA
GRAMAVIKASANA BANK LTD.NO.P.505,
PERINTHALMANNA, REP.BY ITS SECRETARY.
2. THE SPECIAL SALE OFFICER,
PERINTHALMANNA SASHAKARANA KARSHIKA
GRAMAVIKASANA BANK LTD.NO.P.505,
PEIRNTHALMANNA.

BY ADV. SRI.P.K.VIJAYAMOHANAN
SRI.A.RANJITH NARAYANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

- EXT.P1- TRUE COPY OF THE LOAN AGREEMENT
- EXT.P2- TRUE COPY OF THE SALE NOTICE ISSUED BY THE 2ND
RESPONDENT.
- EXT.P3- TRUE COPY OF THE REPRESENTATION SUBMITTED BY THE
PETITIONER.

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 28785/2006

Dated this 5th day of December, 2006

JUDGMENT

The writ petitioner had availed a loan from the first respondent, bank. It was not re-paid as per the schedule. Therefore, the bank proceeded against him. According to the learned counsel for the first respondent an amount of Rs.1,31,952/-, as on 22.8.2006, is due to the first respondent, bank.

2. When the writ petition was admitted, the stay of all the proceedings, initiated against the properties of the petitioner was granted, on condition that the petitioner remit an amount of Rs.20,000/- within one month from 6.11.2006. It is conceded by the learned counsel for the writ petitioner that because of the personal reasons, the said amount had not been remitted.

3. The learned counsel for the first respondent however, submits that the petitioner may avail the benefit of One Time Settlement and pay the amount due to the

first respondent, so as to save the properties.

4. After hearing both sides and considering the materials that are placed before me, I direct the writ petitioner to file a representation before the first respondent, bank, requesting for One Time Settlement within ten days from today, and on receipt of the same, the first respondent shall consider and pass appropriate orders on merit, extending all the facilities and benefits of One Time Settlement, as per Circular No.27/2006 dated 29.6.2006, which is valid only upto 31.12.2006.

5. Till a decision is taken on the representation, that would be filed by the writ petitioner as directed above, the proceedings initiated against the properties of the writ petitioner shall be kept in abeyance.

The writ petition is disposed of as above.

**J.M.JAMES
JUDGE**

mrCS